

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

-VS-

KEVIN DARNELL MILES,

Defendant.

Nos. 2:14-CR-0047-WFN-1
2:13-CR-0008-WFN-28

ORDER

Defendant pled guilty in the companion case, 2:13-CR-0008-WFN-28. The Government agreed to dismiss charges in 2:14-CR-0047-1 following sentencing. Defendant was sentenced to 144 months on January 5, 2015. The Court has reviewed the file and is fully informed. This Order is entered to memorialize and supplement the oral rulings of the Court. Accordingly,

IT IS ORDERED that:

1. The Indictment in 2:14-CR-0047-WFN-1 is **DISMISSED WITH PREJUDICE**.
 2. Defendant's Motion for Downward Departure and/or Variance, filed on December 5, 2014, **2:13-CR-0008-28 ECF No. 3170**, is **GRANTED**. The Court sentenced Defendant to 144 months which represented a 91 month variance from the low end of the guideline range.

The District Court Executive is directed to file this Order and provide copies to counsel **AND TO** United States Probation Officer Shawn Kennicutt.

DATED this 5th day of January, 2015.

s/ Wm. Fremming Nielsen

WM. FREMMING NIELSEN

SENIOR UNITED STATES DISTRICT JUDGE